

SECOND AMENDED

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
RONALD REAGAN FEDERAL BUILDING

Courtroom No. 9D

Wednesday, December 21, 2005 at 8:00 a.m.

PRESENT: **THE HONORABLE DAVID O. CARTER**, U.S. DISTRICT JUDGE

	Debbie Gale	Lisa Ells
Kristee Hopkins	Jane Sutton Rule	Darren Teshima
Courtroom Deputy	Court Reporters	Law Clerks

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1. CR02-0938 (E) -DOC: USA -V- 1) BARRY BYRON MILLS (CUSTODY)
2) TYLER DAVIS BINGHAM (CUSTODY)
15) CHRISTOPHER OVERTON GIBSON (CUSTODY)
18) EDGAR WESLEY HEVLE (CUSTODY)
 5. ~~MOTION BY DEFENDANT T. D. BINGHAM TO STRIKE STATUTORY
AGGRAVATING FACTOR NO. 1 AS MATERIALLY INACCURATE~~
 6. ~~MOTION BY DEFENDANT T. D. BINGHAM TO STRIKE NON-STATUTORY
AGGRAVATING FACTOR NO. 3 AS CONTRARY TO FDPA~~
 7. ~~MOTION BY DEFENDANT T. D. BINGHAM TO STRIKE STATUTORY
AGGRAVATING FACTOR NO. 3 AS NON-NARROWING~~
 8. ~~MOTION BY DEFENDANT T. D. BINGHAM TO STRIKE SUPPLEMENTAL
NOTICE OF INTENT FOR GRAND JURY VIOLATION~~
 9. MOTION BY DEFENDANT HEVLE TO DISMISS 6, 7, AND 8 AND OVERT
ACT 251 OF COUNT 2 ON THE GROUNDS OF OUTRAGEOUS GOVERNMENT
CONDUCT
 10. MOTION BY DEFENDANT CHRISTOPHER GIBSON TO DISMISS/STRIKE
RACKETEERING ACT 32 OF COUNT ONE AND OVERT ACTS 314, 315 AND
316 OF COUNT TWO AS VIOLATION OF THE PLEA AGREEMENT ENTERED
INTO BY MR. GIBSON AND UNITED STATES ATTORNEYS' OFFICE
 11. MOTION BY DEFENDANT BARRY BYRON MILLS FOR BILL OF
PARTICULARS
 12. MOTION BY DEFENDANT BARRY BYRON MILLS TO DISMISS INDICTMENT
FOR GRAND JURY INDICTMENT
 13. MOTION BY DEFENDANT BARRY BYRON MILLS TO SEVER OR DISMISS
 14. MOTION BY DEFENDANT BARRY BYRON MILLS TO STRIKE MARZLOFF
MURDER ALLEGATIONS
 15. MOTION BY DEFENDANT BARRY BYRON MILLS TO EXCLUDE HEARSY
STATEMENTS
 16. MOTION BY IN LIMINE BY DEFENDANT T. D. BINGHAM TO PRECLUDE
EVIDENCE OR ARGUMENT RELATING TO RACKETEERING ACT 9
 17. SECOND MOTION BY DEFENDANT HEVLE FOR FURTHER DISCOVERY
 18. MOTION TO CONTINUE TRIAL
 19. STATUS CONFERENCE RE: DISCOVERY

Stephen Wolfe, AUSA	(1) Mark Fleming; H. Dean Steward, CJA.
Terri Flynn, AUSA	(2) William S. Harris; Michael White, CJA.
Joey L. Blanch, AUSA	(15) Kenneth Reed, Peter Scalisi, CJA.
Robert Gannon, AUSA	(18) Donald Calabria; Bernard Rosen, CJA

2. SA CV04-0580-DOC(PJWx): KAREN MORRISON -v- ORANGE SENIOR
HOUSING INC.

(JT: 12-27-05; TE: 4 Days)

FINAL PRETRIAL CONFERENCE

Mark D. Potter
Russell C. Handy

Melissa T. Omansky

3. SA CR01-070-DOC USA -V- ANTONIO JOSEPH LOPEES (BOND)

HEARING RE: VIOLATION OF SUPERVISED RELEASE

Douglas McCormick, AUSA
Manuel Ontiveros, USPO

Joan Politeo, DFPD